

4. Defendant Dr. Taylor is a dentist employed by Cook County assigned to provide dental services to detainees at the Cook County Jail. Plaintiff sues Taylor in her individual capacity.

5. Defendant Schak is employed as a correctional officer at the Cook County Jail. Defendant Schak is sued in his individual capacity.

6. Defendants Cook County, Taylor, and Schak have known at all times relevant to this action that dental care is one of the most important medical needs of inmates and that broken, infected, or otherwise diseased teeth and gums can be excruciatingly painful and, if untreated, can result in serious permanent injury.

7. Starting in at least 2009, defendant Cook County has acted in deliberate indifference to the clearly established rights of prisoners at the Cook County Jail to receive timely and appropriate dental care, which is at issue in a class action known as *Smentek v. Sheriff of Cook County*, 09-cv-529.

8. Since at least 2013, defendants Cook County and Taylor were aware of the Jail's ineffective scheduling of dental appointments, the inadequate grievance process, and the ineffective Health Service Request Forms relating to access to dental services at the Cook County Jail. Each defendant has failed to correct the Jail's deliberately indifferent policy for treating serious dental pain and, as described more carefully below, caused plaintiff Thompson to suffer gratuitous untreated dental pain.

9. Plaintiff Thompson entered the Cook County Jail on or about July 22, 2013.

10. On or about August 4, 2013 plaintiff Thompson sustained a significant dental injury. Plaintiff immediately informed members of the correctional staff, including defendant Schak, of need for immediate dental care to address his obvious dental pain.

11. Rather than providing plaintiff with access to medical care, defendant Schak ordered plaintiff to return to his cell and instructed plaintiff, pursuant to the Jail's policy and procedure, to submit a Health Service Request Form to access dental care.

12. At all times relevant, defendant Schak was aware that instructing detainees, like plaintiff Thompson complaining of serious pain, to complete a Health Service Request Form would not cause plaintiff to be timely assessed by a medical provider and cause plaintiff to needlessly suffer.

13. Despite submitting several Health Service Request Forms, plaintiff was not timely evaluated by a medical provider or provided medication to alleviate pain.

14. It is common practice that defendant Cook County does not timely collect, process, and evaluate Health Service Request Forms submitted by detainees at the Jail complaining of a serious or potentially serious medical concern. The County's inability to timely collect and evaluate Health Service

Request Forms is a result of a staffing shortage recently recognized by Monitor Esmaeil Porsa in *United States v. Cook County*, 10 C 2946.

15. After several weeks of untreated dental pain, plaintiff filed a grievance seeking emergency care for his injured tooth.

16. As the dentist assigned to Division 1, defendant Taylor was aware (or should have been aware) of plaintiff's untreated dental pain from the Health Service Request Forms submitted by plaintiff in August 2013. At all times relevant, defendant Taylor had the ability to facilitate timely dental care for plaintiff but failed to do so.

17. In early September 2013, after about one month of untreated dental pain, plaintiff was transferred to the dental clinic where he was scheduled for care to alleviate his dental pain.

18. The above described wrongdoing violated plaintiff Thompson's rights secured by the Fourteenth Amendment to the United States Constitution.

19. Plaintiff Thompson hereby demands trial by jury on his claim for damages.

It is therefore respectfully requested that the Court grant appropriate compensatory damages, as well as punitive damages against defendants Schak and Taylor and that the Court grant an award of attorney's fees and costs.

/s/ Patrick W. Morrissey

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